



School Funding Interim Commission 2015-16
Montana Legislature
Helena, MT 59601
ATTN: Senator Tom Facey, Chair

May 2, 2016

Dear Chairman Facey, Vice-Chair Arntzen, and School Funding Interim Commission members,

I want to thank you again for the work you all do on behalf of Montana's school children. In my view, there is not a more important task in which our legislators should be engaged. I also want to thank you for the considerable amount of time and attention you have given to me and other advocates of gifted children.

While I will not restate the many points we have made to the School Funding Interim Commission over the past few months, I wish to reiterate those related to relevant Constitutional and legislative provisions. Specifically, the Constitution of the State of Montana states:

Article X, Section 1. Educational goals and duties.

(1) It is the goal of the people to establish a system of education which will develop *the full educational potential of each person*. Equality of education opportunity is guaranteed "to each person of the state".

In addition, Montana Administrative Rule 10.55.84 requires local school districts to (1) provide educational services to gifted and talented students that are commensurate to their needs..., (2) comply with all federal and state laws and regulations addressing gifted education..., and (3) provide structured support and assistance to teachers in identifying and meeting the diverse student needs of gifted and talented students, and provide a framework for considering a full range of alternatives for addressing student needs.

The obligation of local school districts, including those in Montana, to comply with federal and state laws and regulations addressing gifted education is critically important at this time. As you are aware, the federal government recently passed the *Every Student Succeeds Act* (ESSA). Advocates for high ability and talented students are encouraged by the passage of this law because ESSA contains key features that, for the first time at the national level, hold states and schools accountable to the needs of gifted and advanced learners. Specifically,

Title II (Professional Development funds) – Under Title II, "states will be required to include in their education plans a description of how they will use Title II professional development funds to improve the teaching skills of school professionals in identifying the specific learning needs of gifted students and in tailoring academic instruction to those needs. Also, school districts that receive Title II funds will be required to address

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the learning needs of students who are gifted and talented.” It is expected that the Title II requirements will help move the needs of gifted students onto the agenda in all districts, many of which (like those in Montana) have not before supported professional learning on the topic.

Title I (funds for schools with high poverty rates) – Under the new ESSA, Title I schools will be required to include as part of their Title I plan an explanation of how they will meet the needs of their low-income students who are high-achieving, high potential, and/or gifted. Previously, Title I schools only had to include a plan for struggling low-income students. This new provision helps to ensure that Title I schools will now *also* be looking for - and meeting the needs of - their gifted low-income students, an often under-identified and under-served population when it comes to advanced learning opportunities.

(For additional information on how ESSA impacts gifted education programs and services, please visit the National Association for Gifted Children website at www.nagc.org.)

I urge the Commission to support an increased and more defensible level of spending for gifted programs and services. I am convinced that added funding will improve the evidence-based educational experiences of gifted students, particularly those in under-resourced environments, as well as the professional capacity of teachers who work with gifted students in the State of Montana. To that end, we urge the Commission to increase the level of spending for gifted programs and services to the level requested by the Office of Public Instruction. I also ask that these funds be available for professional development and graduate coursework (including courses leading to a Certificate in Gifted Education which is advocated by the National Association for Gifted Children and the Council for Exceptional Children) for teachers working with gifted, talented, and highly able students. Finally, I ask that Title I schools and those with high populations of Native American students will not have to match funding provided by the State for this purpose.

Thank you again for the time you have given to considering the needs of gifted students in the State of Montana. Please do not hesitate to contact me if I can be of service to you and the Commission as it considers the proposals of stakeholders interested in gifted education.

Respectfully submitted,

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Advocacy Planning for Implementation of the Every Student Succeeds Act (ESSA)

Q: What is the ESSA?

The Every Student Succeeds Act (ESSA) is the name of the 2015 legislation that revised and reauthorized the federal K-12 education law known as the Elementary and Secondary Education Act of 1965 (ESEA). Prior to passage of ESSA, the law was referred to by the moniker No Child Left Behind.

Q: Is there anything in ESSA relevant to gifted and talented students?

Yes. ESSA retained the Javits Gifted and Talented Students Education Program, which was part of the prior ESEA, and added new provisions that address data collection and reporting, use of professional development funds, use of Title I funds, and computer adaptive assessments.

Q: Now that the new law has been passed, what should advocates be doing?

There is much education and advocacy to be done to ensure that state and local education policy makers understand the new requirements and that the new ESSA provisions are implemented as effectively as possible to yield the positive changes that advocates are seeking.

(1) Advocate for Effective Professional Development

- State-level advocates will want to meet with the state education agency staff responsible for Title II of ESEA/ESSA to discuss the state Title II Plan and the ways in which it can be modified to effectively implement the new requirement to ensure that teachers and others in the schools are able to identify and serve gifted and talented students.

A state's gifted education advisory committee also may be involved in the discussion or make recommendations to the state education agency, so it is important that the advisory committee is also knowledgeable about the changes to the law and is in sync with advocates about recommended changes.

- Local advocates will need to determine if their local school district receives Title II professional development funds. Those districts that receive Title II money are now required to use the funds, in part, to address the learning needs of gifted and talented students. Advocates will want to ensure that the district develops specific plans for its Title II funds to meet this requirement. Advocates may want to share the new language from ESSA that allows districts to use their Title II funds to provide training on gifted

education-specific instructional practices, such as enrichment, acceleration, and curriculum compacting.

(2) Educate on the Use of Title I Funds to Support Gifted Students

- State-level advocates will want to be sure that state Title I officials are familiar with the new provision that allows districts to identify and serve gifted and talented students with their Title I funds. Gifted education advocates might also want to ensure that Title I officials across the state are familiar with the knowledge and skills teachers need to identify and support gifted students in the classroom.
- Nearly every school district in the nation receives Title I funds, submitting a plan to the state education agency to receive funds, which are calculated based on the percentage of low-income students served. Local gifted education advocates will want to be sure to share with district officials the new language in ESSA that allows districts to use their Title I funds to identify and serve low-income gifted and talented students and share strategies teacher may employ to provide appropriately challenging instruction.

(3) Use New Data on Advanced Achievement

- Under ESSA states must report student achievement on the state assessment, disaggregated by student subgroup, at each achievement level. In many cases, achievement data at the state's advanced level(s) will be readily available for the first time, allowing the public and decision makers to see who is, and who is not achieving at top levels. For state-level advocates, the disaggregated data will provide multiple opportunities annually to propose strategies to address the implications of the achievement data with state legislators and other state-level policymakers.
- State-level advocates will also want to meet with the state education agency's assessment experts to discuss the value of computer adaptive assessments that can measure student mastery of above-grade level standards.
- Districts also will report student achievement data, disaggregated by subgroup, at each achievement level on their local report cards. The data will provide local advocates with annual opportunities to discuss any concerns related to the data and to develop recommendations for instructional change.

(4) Preparing to Support Funding for the Javits Program

Gifted education supporters must advocate annually for funding from Congress for the Javits program. To better prepare for this advocacy it will be important for all advocates to have information about how students in their states are benefitting from this federal grant program. NAGC will compile some basic information about the grant program on the website, but advocates can increase the effectiveness of their messages with examples of projects operating in school districts in their area that are participating in either the Javits demonstration grants or in the statewide grant projects.

For more information on ESSA, visit the legislation update section of the NAGC website. Contact Jane Clarenbach, NAGC Director of Public Education, with questions. janec@nagc.org or 202-785-4268.